

CHAPTER 300
STATE BUILDING CODE—ADMINISTRATION
[Prior to 12/21/05, see rules 661—16.1(103A) to 661—16.500(103A)]

661—300.1(103A) State building code promulgated. Iowa Code section 103A.7 gives to the building code commissioner, with the approval of the building code advisory council, authority to promulgate the state building code, except that adoption of the state historic building code requires the approval of the state historical society board of trustees, rather than the building code advisory council.

The state building code, as authorized by Iowa Code section 103A.7, includes 661—Chapters 16, 300, 301, 302, and 303.

EXCEPTION: Prior to October 1, 2006, buildings or facilities subject to the state building code may be designed and constructed in compliance with 661—Chapter 16 as it existed on December 1, 2005. “Prior to October 1, 2006” means that required submissions have been made to the building code commissioner or a local building department by the close of business on September 30, 2006.

NOTE: Additional chapters will be promulgated and included in the state building code. All chapters of the state building code, other than 661—Chapter 16, will be numbered between 300 and 399. 661—Chapter 16 will be rescinded when all new chapters of the state building code have been adopted.

661—300.2(103A) Building code commissioner. The building code commissioner appointed by the commissioner of public safety pursuant to Iowa Code section 103A.4 shall serve as the chief of the building code bureau. The building code commissioner shall adopt, and amend as needed, the state building code, with the approval of the building code advisory council, and the state historic building code, with the approval of the state historical society board. The building code commissioner also shall appoint the board of review from among the council membership. The building code commissioner shall consider any request for the use of alternate materials or methods of construction submitted to the building code bureau pursuant to Iowa Code section 103A.13, and shall either disapprove each such request or shall recommend approval of the request to the building code advisory council.

661—300.3(103A) Building code advisory council. The building code advisory council appointed by the governor pursuant to Iowa Code section 103A.14 shall consider amendments to the state building code proposed by the building code commissioner, other than amendments to the state historic building code. The council shall approve or disapprove any changes to the state building code proposed by the building code commissioner. The council shall also consider and approve or disapprove any requests for use of alternate materials or methods of construction, the approval of which has been recommended to the council by the building code commissioner.

661—300.4(103A) Plan reviews.

300.4(1) Plans and specifications review.

a. Architectural technical submissions, engineering documents, or plans and specifications for all state-owned buildings or facilities shall be submitted to and approved by the commissioner before construction is begun. Such submittals shall be filed by the owner or an authorized agent, agency or the responsible design architect or engineer. Submittals to the commissioner shall be certified or stamped and signed as required by Iowa Code chapters 542B and 544A unless the applicant has certified on the submittal to the applicability of a specific exception under Iowa Code section 544A.18 and the submittal does not constitute the practice of professional engineering as defined by Iowa Code section 542B.2.

b. Architectural technical submissions, engineering documents, or plans and specifications for all buildings or facilities to which the state building code applies, other than state-owned buildings or facilities, shall be submitted to and approved by the commissioner before construction is begun, unless applicability of the state building code is based upon a local ordinance enacted pursuant to Iowa Code section 103A.12. Such submittals shall be filed by the owner or an authorized agent or agency or the responsible design architect or engineer. Submittals shall be certified or stamped and signed as required by Iowa Code chapters 542B and 544A unless the applicant has certified on the submittal to the applicability of a specific exception under Iowa Code section 544A.18 and the submittal does not constitute the practice of professional engineering as defined by Iowa Code section 542B.2. If applicability of the state building code is based upon a local ordinance adopting the state building code, the submission shall be made to the local jurisdiction, provided that the local jurisdiction has established a building department, unless the local jurisdiction requires submission to the building code commissioner. Review and approval of such documents by the building code commissioner shall be at the discretion of the building code commissioner based upon resources available.

NOTE: Preliminary or intermediate documents may be submitted for general discussion concerning compliance with the appropriate regulations if the documents are labeled “preliminary” or “not for construction” or are labeled with similar wording indicating that the documents are not being submitted for final approval. Such preliminary documents shall not exhibit the seal and signature.

300.4(2) *Minimum review requirements.* Plans, specifications and other supporting information shall be sufficiently clear and complete to show in detail that the proposed work will comply with the requirements of the applicable provisions of the state building code and with sections 106.1 and 106.1.1 of the International Building Code, 2003 edition. In sections 106.1 and 106.1.1 of the International Building Code, 2003 edition, the word “permit” shall be replaced by “plan review.”

300.4(3) *Copies and fees.* See 661—Chapters 16, 302, and 303 for fees pertaining to factory-built structures, accessibility reviews, and energy conservation reviews.

a. Copies of the state building code or any portion thereof are available through the Web site of the department of public safety.

NOTE: Codes and standards adopted by reference in the state building code which are published by other organizations, including, but not limited to, the American National Standards Institute, the International Code Council, the International Association of Plumbing and Mechanical Officials, and the National Fire Protection Association, may be purchased from the publishing organization. A copy of each code or standard adopted by reference in the state building code has been deposited in the Iowa state law library.

b. The fees for plan reviews completed by the building code bureau shall be calculated as follows:

	Preliminary Plan Review Meeting (Optional)	Plan Review Fee	Plan Review Fee Including Optional Preliminary Plan Review Meeting
AREA IN SQUARE FEET	Cost	Cost	Cost
Up to 5,000	\$75	\$200	\$275
5,001-10,000	\$100	\$300	\$400
10,001-20,000	\$125	\$400	\$525
20,001-50,000	\$150	\$500	\$650
50,001-100,000	\$200	\$600	\$800
100,001-150,000	\$200	\$1,000	\$1,200
150,001-200,000	\$200	\$1,200	\$1,400
200,001-250,000	\$200	\$1,400	\$1,600
250,001-300,000	\$250	\$1,600	\$1,850
300,001-350,000	\$250	\$1,800	\$2,050
350,001-400,000	\$250	\$2,000	\$2,250
400,001-450,000	\$300	\$2,200	\$2,500
More than 450,000	\$300	\$2,400	\$2,700
Special Limited Reviews			Fee
Sprinkler Plan Review			\$100
Fire Alarm Review			\$100
Accessibility Review			\$30

Payment of the assigned fee shall accompany each plan when submitted for review. Payment may be made by money order, check or draft made payable to the Iowa Department of Public Safety—Building Code Bureau.

c. A person who has submitted a plan for review for which a fee has been assessed pursuant to paragraph “b” is eligible to receive a refund of the fee if the plan has not been approved or rejected within 60 calendar days of its receipt by the building code bureau. A person who believes that a refund is due shall notify the building code commissioner who shall provide a form to the person who submitted the plan for review to request a refund. If the request for refund is approved, the building code commissioner shall cause a check for the amount of the refund to be issued to the individual or organization that originally paid the fee. If the original submission of the plan is incomplete, the fee shall be refunded only if the plan has not been approved or rejected within 60 days of a full and complete submission of the plan. “Approved or rejected within 60 days” means that a letter approving or rejecting the plan has been presented or mailed to the submitter within 60 days of the date of receipt by the building code bureau, within the meaning of “time” as defined in Iowa Code section 4.1.

661—300.5(103A) Local code enforcement. Provisions of the state building code applicable state-wide or applicable in a local jurisdiction which has adopted the state building code by local ordinance may be enforced by the local jurisdiction.

300.5(1) *Creation of department.* There may be established within the governmental subdivision a “building department” which shall be under the jurisdiction of the building official designated by the appointing authority. Within the state building code, including publications adopted by reference within the state building code, the terms “administrative authority,” “authority having jurisdiction,” and “authorized representative” shall mean the building official.

300.5(2) *Powers and duties of building official.* The building official in those governmental subdivisions establishing a building department shall enforce all the provisions of this code as prescribed by local law or ordinance and as outlined by Iowa Code section 103A.19.

300.5(3) *Permits only.* Any governmental subdivision that has not established a building department but requires a permit to construct or occupancy permit or both shall be known as the “issuing authority.”

These rules are intended to implement Iowa Code chapter 103A.

[Filed 12/2/05, Notice 9/14/05—published 12/21/05, effective 4/1/06]